



FOR RETURN

NORTHERN

District of WEST VIRGINIA

RECEIVED

UNITED STATES OF AMERICA
v.

JUDGMENT IN A CRIMINAL CASE

MAY 24 2006

Case Number:

UNITED STATES MARSHAL

Northern/West Virginia

1:05CR00004-001

DANIEL TESTERMAN

USM Number:

04919-087

George J. Cosenza

Defendant's Attorney

RECEIVED

THE DEFENDANT:

- pleaded guilty to count(s) _____ JUL 26 2006
- pleaded nolo contendere to count(s) _____ UNITED STATES MARSHAL
- which was accepted by the court.
Northern/West Virginia
- X was found guilty on count(s) One, Two, Three & Four
- after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. §2252A(a)(5)(B)	Possession of Child Pornography	08-28-03	1
18 U.S.C. §2252A(a)(2)(A)	Receipt of Child Pornography	07-25-03	2
18 U.S.C. §2252A(a)(2)(A)	Receipt of Child Pornography	08-10-03	3
18 U.S.C. §2252A(a)(2)(A)	Receipt of Child Pornography	08-22-03	4

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) _____
- Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

May 16, 2006

Date of Imposition of Judgment

Signature of Judge

Honorable Irene M. Keeley, Chief U. S. District Judge
Name and Title of Judge

Date

I hereby certify that the annexed instrument
is a true and correct copy of the original filed
in my office.

ATTEST: Dr. Wally Edgell
Clerk, U.S. District Court
Northern District of West Virginia

DEFENDANT: TESTERMAN, DANIEL
CASE NUMBER: 1:05CR00004-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: Count 1 - 60 months; Counts 2, 3 & 4 - 108 months all concurrent.

- The court makes the following recommendations to the Bureau of Prisons:
 That the defendant participate in the sex offender program at FMC Butner;
 That the defendant receive credit for the 11 days for time served between August 30, 2003 and September 10, 2003 and credit for time served since February 10, 2006.
- Pursuant to Public Law 108-405, Revised DNA Collection Requirements Under the Justice for All Act of 2004, the defendant shall submit to DNA collection while incarcerated in the Bureau of Prisons.
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
 - at _____
 - a.m.
 - p.m.
 - on _____
 - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - before 2 p.m. on _____
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Office.
 - on _____, as directed by the United States Marshals Service.

RETURN

FILED

JUL 27 2006

U.S. DISTRICT COURT
CLARKSBURG, WV 26301

I have executed this judgment as follows:

Defendant delivered on 7/19/06 to FCT ASL
 at KY, with a certified copy of this judgment.

UNITED STATES MARSHAL

By

SJ
 DEPUTY UNITED STATES MARSHAL